



BOULT • CUMMINGS
CONNERS • BERRY, PLC

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May 1, 2002

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OFFICE OF THE
EXECUTIVE SECRETARY

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EXECUTIVE SECRETARY

David Waddell, Esq.
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: *Petition for Interconnection by Cinergy Communications Company for
Arbitration of an Interconnection Agreement with BellSouth
Telecommunications, Inc. pursuant to the Telecommunications Act of 1996*
Docket No. 01-00987

Dear David:

Enclosed are the original and thirteen copies of Covad's First Set of Data Requests to BellSouth Telecommunications, Inc. in the above-captioned proceeding.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

Henry Walker

HW/nl
Enclosure

v

5/1/2002

LAW OFFICES

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: PETITION OF CINERGY)	
COMMUNICATIONS COMPANY FOR)	
ARBITRATION OF AN)	DOCKET NO. 01-00987
INTERCONNECTION AGREEMENT)	
WITH BELL SOUTH)	
TELECOMMUNICATIONS, INC.)	
PURSUANT TO THE)	
TELECOMMUNICATIONS ACT OF 1996)	

CINERGY COMMUNICATIONS COMPANY'S FIRST SET OF DATA REQUESTS

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Counsel for Cinergy Communications Company

Dated April 30, 2002

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: PETITION OF CINERGY)	
COMMUNICATIONS COMPANY FOR)	
ARBITRATION OF AN)	DOCKET NO. 01-00987
INTERCONNECTION AGREEMENT)	
WITH BELL SOUTH)	
TELECOMMUNICATIONS, INC.)	
PURSUANT TO THE)	
TELECOMMUNICATIONS ACT OF)	
1996)	

CINERGY COMMUNICATIONS COMPANY'S FIRST SET OF DATA REQUESTS

DEFINITIONS

1. "Act" means the federal Communications Act of 1934, as amended by, and other applicable provisions of the Telecommunications Act of 1996.
2. "BellSouth" or "BST" refers to BellSouth Telecommunications, Inc., its subsidiaries, operating companies, affiliates, directors, officers, employees, and agents.
3. "CLEC" refers to any competitive local exchange carrier and includes, but is not limited to, Cinergy Communications.
4. The word "similar" is intended to be as comprehensive as possible.
5. "Document" means any written, printed, typed, or visually reproduced material of any kind, whether or not privileged, and includes, but is not limited to, the original and all copies of any and all letters, reports, memoranda, files, communications, correspondence, agreements, bills, receipts, studies, analyses, telegrams, telexes, minutes, bulletins, instructions, literature, memoranda of conversations, notes, notebooks, diaries, data sheets, financial statements, work sheets, recordings, tapes, drawings, graphs, indexes, charts, telephone records, photographs, phonographic records, computer files, other data compilation, or any other written, recorded, transcribed, punched, taped, filed or other graphic matter including any draft of the foregoing items and any copy or reproduction of any of the foregoing items upon which any notation,

work, figure, or form is recorded or has been made which does not appear on the original or as to whose existence, either past or present, the responding party has any knowledge or information.

6. "LEC" means a local exchange carrier, including, but not limited to, CLECs and ILECs.
7. "IXC" means interexchange carrier.
8. "You" and "your" refer to BellSouth.
9. "Authority" means the Tennessee Regulatory Authority.
10. "Next Generation Digital Loop Carrier" or "NGDLC" means any equipment or facility, such as an integrated access device or x-DSL capable digital loop carrier, that would allow xDSL service to be provided where a customer is served by a copper facility that travels to a remote terminal.
11. "Fiber-fed loops" include, but are not limited to, transmission facilities between a customer's Network Interface Device and a BellSouth central office that include a mix of fiber and copper facilities.
12. "Persons" mean the plural as well as the singular and includes any natural person, any firm, corporation, association, partnership, or other organization or form of legal entity.

DATA REQUESTS

1. Quantify the amount of wholesale xDSL service currently provided to Network Service Providers in Tennessee pursuant to section 7.2.1.7 *et seq.* of BellSouth FCC tariff No. 1 by the number of access lines sold to each Network Service Provider, specifically including but not limited to BellSouth.net. If wholesale xDSL is provided to any Network Service Provider in Tennessee, specifically including but not limited to BellSouth.net, by any terms other than section 7.2.17 *et seq.* of FCC tariff No. 1, state the method by which each such Network Service Provider is receiving xDSL service from BellSouth and the number of access lines sold thereunder. Provide comparable numbers for each quarter of 2001.

2. How many central offices does BellSouth have in Tennessee? How many are capable of providing xDSL service? What is the total number of customers receiving xDSL service from those offices?

3. What is the number of residential customers served by central offices? What is the number of residential access lines served by central offices? What is the number of business access lines served by central offices?

4. How many remote terminals does BellSouth have in Tennessee? Of these, how many are Cabinets? Huts? Controlled Environmental Vaults? How many are capable of providing xDSL service? What is the total number of xDSL customers served out of these remotes?

5. What is the number of residential customers served by remote terminals? What is the number of residential access lines served by remote terminals? What is the number of business customers served by remote terminals? What is the number of business access lines served by remote terminals?

6. Has BellSouth deployed a DSLAM, or any other DSL-related equipment, at or adjacent to any remote terminal or other structure in Tennessee? If so, where and how many?

7. Has BellSouth or any affiliate ever, for any period of time, provided xDSL services to an end-user who concurrently subscribed to local exchange telecommunications service provided by a CLEC that provides service over BellSouth facilities by (1) resale, (2) UNE-P, or (3) unbundled loops? Please answer separately for each of the three options.

8. Has BellSouth or any affiliate ever, for any period of time, provided wholesale xDSL services to a CLEC or ISP, or other wholesale provider that are to be combined with local exchange telecommunications service provided by a CLEC that provides service over BellSouth

facilities by (1) resale, (2) UNE-P, or (3) unbundled loops? Please answer separately for each of the options.

9. Set forth the number of competitive local exchange carriers that have collocated DSLAMs or other DSL equipment inside or adjacent to BellSouth's remote terminals in Tennessee. Identify any such carrier, the date and location of the co-location.

10. What is the total number of voice grade loops purchased by CLECs from BellSouth as unbundled network elements in BellSouth's service area in Tennessee?

11. Identify each central office and remote terminal where such purchases are occurring.

12. What is the total number of BellSouth loops purchased by CLECs to provide DSL service in BellSouth's service area in Tennessee?

13. Identify each central office and remote terminal where such purchases are occurring.

14. Identify the number of remote terminals in Tennessee at which BellSouth has placed, or will by the end of calendar year 2002, DSLAM equipment.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

Henry Walker (No. 000272)

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Nashville, Tennessee 37219

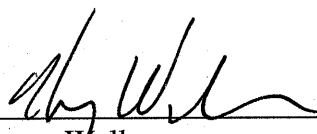
(615) 252-2363

Counsel for Cinergy Communications Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 1st day of May, 2002.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300


Henry Walker